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Paper No. 20

In re Application of  
Takaaki Shimada et al  
Serial No. : 09/976,182  
Filed : October 11, 2001  
For : Disposable Pull-on Undergarment

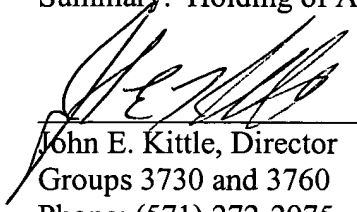
: DECISION ON PETITION  
: TO WITHDRAW  
: HOLDING OF  
: ABANDONMENT

This is a decision on petitioner's request filed via facsimile transmission on October 13, 2004, to review the holding of abandonment mailed September 16, 2004 for failure to respond to the Office action mailed December 4, 2003. As this petition has been filed pursuant to 37 CFR 1.181, no petition fee is required.

In support of the request, petitioner has submitted a copy of a response that was submitted via facsimile transmission on March 1, 2004. The response included a certificate of facsimile transmission dated March 1, 2004. Petitioner has also included a copy of a facsimile transmission report confirming transmission of the papers in question on March 1, 2004.

In view of the above, the Notice of Abandonment mailed September 16, 2004 is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the response filed March 1, 2004.

Summary: Holding of Abandonment Withdrawn.

  
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ak/12/15/04